

#### Exhibit 1

PATENT APPLICATION DOCKET NO. 200209338-1

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Alexey S. Kabalnov et al.

**SERIAL NO.:** 

10/622,985

FILED:

July 18, 2003

FOR:

MAGENTA INK-JET INKS

ART UNIT:

1755

**EXAMINER:** 

Helene G. Klemanski

DOCKET NO.:

200209338-1

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Assistant Commissioner for Patents, Washington, D.C. 2023 1.

Name: Catic Weaver

June 23,2005

Date of Deposit

# DECLARATION OF Alexey S. Kabalnov and Charles G. Dupuy UNDER 37 C.F.R. § 1.131

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

- I, Alexey S. Kabalnov and Charles G. Dupuy, declare as follows:
- 1. I am a named inventor in the above-captioned application and the subject matter described and claimed therein.
- 2. It is my understanding that various claims in the above-recited patent application have been rejected in view of U.S. Patent Application Nos. 2004/0020405 and 2004/0074018. It is also my understanding that various claims in the above-recited patent application have been

rejected in view of U.S. Patent Nos. 6,808,555; 6,596,067; and 6,843,838.

- 3. It is further my understanding that:
  - a) 2004/0020405 has a 102(e) date of September 16, 2002;
  - b) 2004/0074018 has a 102(e) date of February 12, 2002;
  - c) 6,808,555 has a 102(e) date of January 30, 2002;
  - d) 6.596,067 has a 102(e) date of July 3, 2001; and
  - e) 6,843,838 has a 102(e) date of December 31, 2002.
- 4. The invention as described and claimed in the above-reference patent application was conceived and reduced to practice prior to July 3, 2001, which is the earliest of the 102(e) dates set forth above. I oversaw at least a portion of the development of the dye blends claimed in U.S. Patent Application No. 10/622,985, which development was conducted prior to July 3, 2001. Exhibit 2 contains a redacted version of a report documenting the development and reduction to practice of the invention, which report was prepared by Alexey Kabalnov and Patricia Wang prior to July 3, 2001.
- 5. I declare that Mitsubishi MJR 732 is a nickel-containing azo dye, and that AR-52 is a rhodamine dye. I further declare that the dye combinations and the absorbance amounts shown in Exhibit 2, namely the combination of Mitsubishi MJR 732 (Abs = 0.10) and AR-52 (Abs = 0.15), fall within the claimed weight ratio range of claim 1 of the present application.
- 6. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code, and that such willful, false statement may jeopardize the validity of the application or any patent issuing thereon.

DATED this 23day of June, 2005

Alexey S. Kabalnov

DATED this \_\_\_\_\_ day of June, 2005

Charles G. Dupuy



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DATED this \_\_\_\_ day of June, 2005 \_\_\_\_\_ Alexey S. Kabalnov

DATED this \_\_\_\_ day of June, 2005 \_\_\_\_\_ Charles G. Dupuy

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ii	Table 4 . Co	omparison of the stab data, OD = 0.5, failu	ilization 250	44 , 47		9 year	
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				Swampy	6.3	· · · · · · · · · · · · · · · · · · ·	<u> </u>
	From Table	4, one can see that th	ne new magenta bler	ids offer a coi	nsiderable improvemen	it in lightfastness	
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dia managan managan	i ne same eff	ect is expected to be	seen with some other	Rhodamine	dyes, e.g., AR 289.		/
; ; ;	Therefore, th	is disclosure provides	s a method to combin	e the high vi	vidness of the dyes wi	th avoallant	/
	lightfastness,	which is much desir	able for universal (pl	ain-paper an	d photo) printers.	an executent	
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